

Notice of Allowability

Application No.

09/998,734

Examiner

Jeffrey R. Swearingen

Applicant(s)

LYNN ET AL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendments and remarks of 7/31/2006.
2. ☒ The allowed claim(s) is/are 1,4-9,11-14,16,17 and 19-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20061011.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JASON CARDONE
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Scot Ringenberg on October 11, 2006.

The application has been amended as follows:

Claim 1: (Currently Amended) A method for adjusting the speed of operation of a channel for communicating with disk drives in a multi ported system organized into a plurality of enclosure services modules comprising:

a first channel connected to a first enclosure services module and successively connected to successive enclosure services modules to a last enclosure services module in sequence, and

a second channel connected to the last enclosure services module and connected, in reverse sequence relative to the first channel, to successive enclosure services modules, to the first enclosure services module, and

a bridge controller connected to the first enclosure services module via the first channel and to a last enclosure services module via the second channel,

the steps comprising:

(a) sending a change speed frame from the bridge controller to the last enclosure services module connected on the first channel which has not undergone the speed change;

(b) waiting for an indication on the second channel that the enclosure has attained the changed speed;

(c) determining whether the enclosure service module currently undergoing speed change is the first enclosure service module on the first channel; and

(d) repeating the steps (a), (b), (c), (d) and (e) with the enclosure services module which precedes, on the first channel, the enclosure services module currently undergoing speed

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change if the enclosure services module currently undergoing speed change is not the first enclosure service module on the first channel.

No amendments were made to claims 4-9, 11-14, 16, 17, and 19-21.

Allowable Subject Matter

2. Claims 1, 4-9, 11-14, 16, 17, and 19-21 are allowed.
3. The following is an examiner's statement of reasons for allowance:

The multi-port fibre channel speed adjustment system claimed is not taught in the prior art. The FC-FS Draft Standards are the closest relevant art located in multiple searches of the prior art, and Applicant's system is distinguished over these teachings.

Applicant's amendments have sufficiently overcome all outstanding rejections by clarifying the physical layout and structure of the invention. This clarification was also what distinguished the invention over the prior art.

The two-channel system described, a first channel connected to a series of enclosure services modules and a second channel connected to the enclosure services modules in reverse order, and the changing of speed on the channels by sending a speed frame through successive modules on the chain of connected modules, is distinguished over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

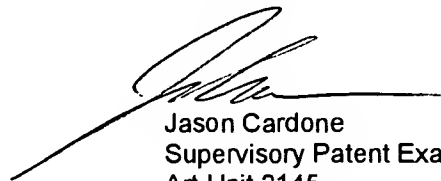
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571) 272-3921. The examiner can normally be reached on M-F 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Jason Cardone', with a long horizontal stroke extending to the right.

Jason Cardone
Supervisory Patent Examiner
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